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The Honorable Marvin Abney House Committee on Finance

Dear Chairman Abney and Committee Members:

The Northern RI Chamber of Commerce wishes to bring forward some business-related items that we believe should be included in any final legislation that seeks to legalize recreational marijuana. The chamber takes no position on how the sale of marijuana should be controlled.

We believe this is a complex issue that will have impacts on businesses in our state. At the same time, we recognize that our neighboring state, Massachusetts, has legalized marijuana for recreational use, which brings with it impacts to our state. With that as a backdrop, we offer the following thoughts as to items that should be addressed in any legislation that moves forward.

Federal Application

We have a significant number of employers that have federal contracts or are in the supply chain to provide services or products to manufacturers and others. It is important that legislation specifically allow those who are in this supply chain to continue to be able to hire or terminate employees in ways consistent with federal requirements, even if that means retaining the ability to refuse to hire following a positive marijuana drug test. Until such time as the federal government legalizes marijuana, or lifts the drug free requirement, these federal contract supply chain businesses need protections, otherwise they are caught in the middle and will lose the contracts resulting in loss of employment.

Drug-Free Employment Policies and Drug Testing

Employers should have the ability to adopt a strong Drug Free Employment Policy. The Chamber believes the State should avoid creating legal protections for recreational drug users that do not exist for other employees except in protected classes such as race, gender, ethnicity, etc. And we would like to take a look at re-evaluating the effectiveness of our current drug testing laws as well as the compliance burdens that they place on employers. We have heard mixed reports as to what other states have done in this area so we are continuing research that issue. We have also heard reports of a potential breathlyzer test for active THC, but it appears that courts are not yet accepting the test as reliable for evidentiary purposes. That process usually takes time.

The legalization of recreational marijuana has the potential to have an incredible impact on Rhode Island's business community, if it is not done comprehensively. We appreciate the hard work of many parties have contributed on this issue. The Chamber looks forward to working with you to develop the best possible legislation.

Respectfully

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